



7-27-04

JFW

Attorney's Docket No. 998-904DV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gebreselassie et al.

Confirmation No.: 5606

Serial No.: 10/726,391

Art Unit: 3612

Filed: 12/03/2003

For: **VEHICLE COCKPIT ASSEMBLIES HAVING INTEGRATED DASH INSULATORS, INSTRUMENT PANELS AND FLOOR COVERINGS, AND METHODS OF INSTALLING SAME WITHIN VEHICLES**

Date: July 26, 2004

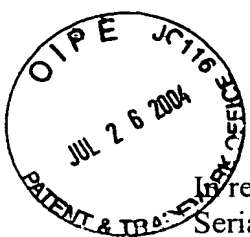
Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of December 03, 2003 rather than December 04, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of December 03, 2003, being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date of December 03, 2003 on Page 2;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS on December 03, 2003;
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of December 04, 2003 instead of the Express Mail date of December 03, 2003.



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Page 2

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of December 03, 2003 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

Needham James Boddie, II
Attorney For Applicant
Registration No. 40,519

USPTO Customer No. 20792
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CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV472535187US
Date of Deposit: 07/26/2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to:
Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Ban Younan



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 998-904DV

DATE: December 3, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/256,695; filed September 27, 2002, the disclosure of which is incorporated herein by reference in its entirety.
☐ and claims the benefit of Provisional Application No. _____; filed _____.

Inventor(s) or Application Identifier:

Girma Gebreselassie, Southfield, Michigan
Matt Starling, Ypsilanti, Michigan
Anthony J. Messina, Royal Oak, Michigan
Surendra Khambete, West Bloomfield, Michigan

Entitled: **VEHICLE COCKPIT ASSEMBLIES HAVING INTEGRATED DASH
INSULATORS, INSTRUMENT PANELS AND FLOOR COVERINGS, AND
METHODS OF INSTALLING SAME WITHIN VEHICLES**

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 33 pages of Specification (including 58 claims)
3. ☒ 5 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under

Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s)*) (**Submitted in Parent case**)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 22 references cited (**No copies provided**)
11. ☒ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
 - a. ☐ computer readable copy
 - b. ☐ paper copy
 - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventor(s) (*Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).*)
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	14 - 20 =	0	x 09 = \$	x 18 = \$108.00
INDEP CLAIMS	2 - 3 =	0	x 43 = \$	x 86 = \$ - 0 -
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$770.00

- ☒ A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee and a check in the amount of \$40.00 is enclosed for the Assignment Recordation fee.
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

NJ Boddie II

Needham James Boddie, II

Registration No. 40,519

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 353593140US

Date of Deposit: December 3, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michele P. McMahan
Michele P. McMahan

EV353593140US